

**PLANNING AND ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
March 30, 2004**

PLACE: Auditorium
Town Hall

TIME: 8:00 P.M.

PLANNING AND ZONING COMMISSION MEMBERS ATTENDING:
Damanti, Spain, Forman, Bigelow, Kenny

STAFF ATTENDING: Ginsberg, Keating Court Reporter: Susan Wandzelak

Chairman Damanti read the following agenda item:

Continuation of Public Hearing regarding Business Site Plan #83-A/Special Permit, Commerce Bank, 714 Boston Post Road. Proposal to raze the existing structures on the premises and construct a new bank building with associated drive up aisles and parking and perform related site development activities. The subject properties are located on the south side of Boston Post Road, approximately 550 feet northeast of its intersection with Sedgwick Avenue, and is shown on Tax Assessor's Map #16 as Lots #101 and #103, in the DB-1 Zone.

Attorney Wilder Gleason represented the applicant and explained that they wished to continue the public hearing on April 27, 2004. He said that they have provided the necessary extension to allow the Commission to continue the public hearing until that date. The following motion was made: that the Commission continue the public hearing regarding this matter on April 27, 2004. The motion was made by Mr. Bigelow, seconded by Mr. Kenny and unanimously approved.

Chairman Damanti read the following agenda item:

Special Permit Application #39-K, St. Luke's Episcopal Church, 1864 Boston Post Road. Proposing to restore and renovate existing buffer zone; construct a furniture and clothes storage and sorting facility; construct a memorial garden path; enhance the memorial garden; and perform related site development activities. The subject property is located on the south side of Boston Post Road, at the southeast corner of its intersection with Ring's End Road, and is shown on Tax Assessor's Map #49 as Lots #52, #54, #55 and #56, R-1 and R-1/2 Zones.

Peter Bigelow said that he is a parishioner at St. Luke's Church but he is not involved in any aspects of the proposed project and he does not have any conflict of interest in a personal or financial sense. He asked if there was any one who objected to his participation in this matter. No one objected.

Attorney Wilder Gleason explained that the St. Luke's Parish campus contains a number of buildings that are used for a variety of purposes. The Franklin House is a formal residence near Ring's End Road that has been converted to the offices of the Person-to-Person service organization. They have need for considerable storage of donated items that need to be sorted and then distributed to their clientele. The current proposal is to take down a storage garage and replace it with a two story garage that will have a larger footprint. The second floor of the garage will be unheated and will be used for storage of out-of-season clothing. The ground level of the garage will be used for storage of furniture.

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Attorney Gleason said that the second aspect of the project is to restore the buffer area along Ring's End Road. This buffer area was created to provide visual separation between the church activities, including a playground for the Day Care Center and the residences on the west side of Ring's End Road. Within the past few months a number of dead trees were removed from the buffer area, but some of these trees had been required by previous decisions. Attorney Gleason referred to the February 28, 2004 plan. This plan refers to the removal of several small sheds. He said that only one shed would actually be removed, and it will be relocated to the rectory property to the south of the church site. He said that the Commission should refer to the plan revised on March 9, 2004.

Referring to the revegetation of the buffer area along Ring's End Road, Attorney Gleason said that the planting plan is to supplement the existing vegetation to provide more screening of the play area and the play equipment.

Attorney Gleason said that another aspect of the project is the gradual creation of a memorial garden area with benches and decorative landscaping. He said this project will take time to create but it will provide a lasting memorial garden. Attorney Gleason said that the plans have been reviewed with all of the neighboring property owners and all of those neighbors are in favor of the plan. He said that there should be a letter in the file from Sally Owen who lives directly across Ring's End Road from the playground. Much of the buffer landscaping is being reinstalled to supplement the vegetation that currently exists.

Attorney Gleason said there would be a pathway created from the church rectory on Ring's End Road into the church ground. This will prevent the rector and visitors from having to walk from the church to the rector's house, on the street (Ring's End Road). Walking on the street is especially dangerous in the winter when snow is piled up in the grassy area between the curb and the stone wall. There is no sidewalk on that portion of Ring's End Road. There will be low lighting along the pathway between the rectory and the church grounds and this lighting would be controlled from the rector's house. Attorney Gleason said that this aspect of the project has also been reviewed with the neighbors and they have no problem with the safety lighting along the walkway.

In response to a question about storm drainage, Attorney Gleason said that the sump pumps that had been installed several years ago work very well to discharge water from the lowest portion of St. Luke's Church. In response to another question, he said that the stairway to reach the second floor of the proposed garage will be within the building. It will not be an exterior stairway.

Terry Gatsby of 8 Ring's End Road said that he is in full support of the plan. He said that the driveway near the Franklin House is now being used as an exit from the church site onto Ring's End Road. He said that for many years this has only been an entrance into the site. Someone said that the small portions of picket fences (or gates) that had been used to minimize people using this as an exit driveway were broken and were removed. Attorney Gleason said that those pieces of fence will be reinstalled in the near future.

Another gentleman asked if there was any proposed development activity or construction along the east side of the church site. Attorney Gleason said that no construction activity is proposed on the east side of the site. The gentleman said that he had no objection to the proposed work contained in the application.

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Attorney Gleason reviewed the various aspects of the projects and noted that none of these would be generating additional traffic to or from the church site. The purpose of the application is to provide better storage area for the Person-to-Person project, to improve the buffer between Ring's End Road and the play area, to create the memorial garden, and to provide a safer pathway between the rectory and the church grounds.

There being no further questions or comments, the following motion was made: that the Commission close the public hearing regarding this agenda item. The motion was made by Mr. Kenny, seconded by Mr. Bigelow and unanimously approved.

Chairman Damanti read the following agenda item:

Amendment of Business Site Plan #24-K/Special Permit, Coromandel Cuisine of India Restaurant, 25 Old King's Highway North. Proposing expansion of the existing restaurant into a portion of the space within Goodwives Shopping Center formerly occupied by Old King's Highway Pharmacy. The Goodwives Shopping Center is located just south of the corner formed by the intersection of Old King's Highway North and Sedgwick Avenue, and is shown on Tax Assessor's Map #71 as Lot #19, DC Zone.

Steve Payuk and the restaurant owner explained that the intention is to expand the restaurant into an adjacent store space. This will allow for an enlarged kitchen to comply with the Darien Health Department requirements and more customer seating. They said that the intention is to expand the restaurant into an adjacent store space. They said that the project was initiated in response to Health Department letters regarding Health Code issues and the need to expand the kitchen to comply with changes in the Health Code requirements. After the plans were submitted, the Fire Marshal commented that a second means of egress would be necessary and so the plans were changed. The revised plans include a new emergency egress. Copies of the revised plans were submitted, but it was noted that the Health Department and Fire Marshal had not had an opportunity to review those revised plans.

Mr. Payuk explained that the current seating capacity is for 44 customers. They will be adding 22 new seats but in the process of renovating the facilities they will be losing 8 of the existing seats. There will be a maximum of 58 seats for customers within the building. Outdoor seating had previously been approved for the site. This will not change.

The question was raised regarding the exhaust system from the cooking facility. They will need to design and install a hood and venting system that eliminates odors and complies with all Fire Marshal and Health Department requirements.

Mr. Ginsberg said that the establishment or expansion of a restaurant takes considerable coordination by the owner/operator and the Fire Marshal, Building Official, Health Department and Planning and Zoning Commission. In this case, if the Commission is comfortable with the concept of the expansion, the approval can be granted subject to the final detailed plans satisfying all Health Code, Fire Code and Building Code issues.

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There were no comments from the public regarding the application. The following motion was made: that the Commission close the public hearing regarding this agenda item. The motion was made by Mr. Bigelow, seconded by Mrs. Forman and unanimously approved.

Chairman Damanti read the following agenda item:

Land Filling & Regrading Application #94-A, A. Timothy & Margot West, 4 Edgehill Drive.

Proposing to regrade the existing driveway within 15 feet of the south and east property lines and perform related site development activities. The subject property is on the south side of Edgehill Drive at the southeast corner formed by its intersection with Searles Road, and is shown on Tax Assessor's Map #67, as Lot #45, in the R-1 Zone.

Jeff McDougal of William Seymour & Associates Land Surveyors explained that the project involves lowering the grade near the south property line to accommodate the reconstruction of a garage portion of the house. They have already obtained a variance from the Zoning Board of Appeals to build a garage close to the property line, and now they need to get Planning & Zoning Commission approval to lower the grade close to the property line. They will be lowering the driveway approximately five feet in some areas. A trench drain near the entrance door of the driveway will collect storm water runoff before it enters the garage. Water will be piped away from the building. No water will be discharged toward the neighbor due to the regrading of the site. In response to questions about why the Wests are undertaking such an extensive project, Mr. McDougal explained that removing the existing garage substantially improves the view from the living portions of the house toward the yard and Pound Gut.

Doug DiVesta, Professional Engineer, reviewed the drainage system design for the proposed site development. He noted that a trench drain would be installed at the bottom of the driveway so that water does not drain into the garage. That water will be discharged to the west into a subsurface drainage area. He said the amount of runoff from leaving the site will not be increased because of the drainage system that they have installed. In response to questions, he said that the drainage system will work by gravity flow and that no pumps will be needed.

There were no comments from the public. There being no further questions from the Commission, the following motion was made: that the public hearing regarding this matter be closed.

There being no further items on the public hearing agenda, Chairman Damanti called the General Meeting to order at 8:50 p.m. He read the following agenda item:

Hands on Pottery, 15 Tokeneke Road, CBD Zone.

Request to establish a "paint your own pottery shop" in the space formerly occupied by Darien Healthmart (a vitamin shop) at 15 Tokeneke Road.

The letter of February 2004 with attached sketches was discussed. Director of Planning Jeremy Ginsberg said that this is different than a typical retail use because they will be conducting classes. It does not fall neatly into a zoning use category. Commission members believed that the use was acceptable in the CBD Zone and noted that most people will need to use nearby municipal parking. There is little, if any, on site parking for the employees and customers. The applicant will need to

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make sure that they satisfy all Fire Marshal requirements and particularly the need for a second egress.

Commission members agreed that neither a formal hearing nor formal application was necessary in this particular case since there were no changes to the site, and it is a permitted use. The staff was authorized to work with the applicant as well as Fire Marshal, Building Official and other town officials to ensure that the use complies with all applicable code requirements.

Chairman Damanti read the following agenda item:

Business Site Plan #90-K, Pear Partners, LLC, 1077 Boston Post Road.

Two requests:

- 1) Request per Condition S of the Commission's February 3, 2004 approval to use approximately 1000 square feet of the proposed space for Ann Taylor Loft.
- 2) Request to increase seating of theater and install additional signage on two walls.

Mr. Ginsberg said that the first request is that Ann Taylor Loft, the retail use approved on the first floor, would like to occupy some of the 3,000 square foot addition that has been approved, and for which a specific tenant had not yet been specified. Ann Taylor Loft wishes to use approximately 1,000 square feet of this new space as storage area. All Commission members agreed that this was an acceptable and permitted use.

Mr. Ginsberg explained that the second request concerns the number of seats allowed in the movie theatre. After the seat layout was worked on by the applicant, they found that they had enough space to install 8 to 10 additional seats within each theatre. This would increase the number of seats above the number specified in the Planning & Zoning Commission approval. It would not be changing the volume of the auditoriums, only installing seats in an unused portion of the existing space. Commission members unanimously agreed to the minor modification of the approval to allow up to 10 extra seats in each of the two auditoriums.

Informal discussions regarding conceptual designs for 1063 and 1077 Boston Post Road, CBD Zone.

Informal discussion with the Commission regarding conceptual designs and required permits necessary for the following:

- 1) Request to demolish the existing buildings on the 1063 Boston Post Road property and construct a new building with associated parking adjacent to the Darien Playhouse.
- 2) Request to construct first floor additions the existing Darien Playhouse building to increase its size by 520 square feet.

Mr. Ginsberg explained that this proposal is to acquire the property at 1063 Boston Post Road, which currently contains two buildings. There is a detached garage on the rear portion of the property and a two story building on the front portion of the property. The ground floor of the main building has been occupied by a personal service business (Vantage Travel) and the second floor has been an office. The second floor is still in use at this time, but the first floor is currently vacant. The applicant has requested that the Commission discuss the concept of demolishing both buildings, reconfiguring the parking on the site so that it is coordinated with the movie theatre parking and constructing a 6,000 square foot replacement building on the site. Commission members noted that

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a 6,000 square foot building would require 30 parking spaces for first floor retail use and 12 parking spaces for a second floor of office use. The number of parking spaces to be provided on the site would not meet the existing Zoning Regulations. Commission members agreed that they want to encourage the reuse and adaptation of the property so that it is coordinated with the movie theatre site, but the 6,000 square foot building might be too much.

The traffic flow of the proposed parking area was discussed. Mr. Kenny said that it would be appropriate to have the driveway be a one-way in traffic flow so that vehicles would enter from the Boston Post Road but would not create any traffic problems trying to exit the site onto the Boston Post Road.

Mr. Ginsberg said that another possibility that the applicant was considering is to construct a new building at 1063 Boston Post Road and also to create large display window additions to the front of the movie theatre building. These proposed additions would add customer floor space, not just display area display windows like the Darien Sport Shop. Architect Do Chung said that the one story additions would be slightly lower than the height of the marquee. He said that the additions would reduce the sidewalk width but they would still have a sidewalk that is greater in width than most other sidewalks along the Boston Post Road.

Commission members said that there would be possible problems with delivery trucks accessing the area regardless of whether the bay window additions were installed. They were generally favorably impressed with the proposal to create display windows and noted that formal applications to the Architectural Review Board and a formal proposal before the Planning & Zoning Commission would be necessary to pursue this concept. Adequacy of on-site parking may be of concern.

Chairman Damanti read the following agenda item:

Business Site Plan #68-D (2), Stop & Shop Supermarket, 148 Heights Road. Proposing to install a 24' x 48' greenhouse on a temporary basis.

The following motion was made: that since each member had had an opportunity to review the draft Resolution in preparation for the meeting, there is no need to read the entire Resolution aloud. The motion was made by Mr. Bigelow, seconded by Mrs. Forman and unanimously approved. The Commission members discussed the draft Resolution. They noted that the approval of the temporary greenhouse building was not a permanent facility or a permanent license. Other businesses, particularly the Equinox Fitness Center, have been approved in the area since the last time that the temporary building had been in use. The annual installation of the temporary building in the Stop & Shop parking lot would be subject to close scrutiny by the Police Department and Traffic Authority and the planning staff to monitor the traffic and parking situation and annual review and action by the Director of Planning.

The following motion was made: that the Commission adopt the following Resolution to approve the Business Site Plan application:

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**PLANNING AND ZONING COMMISSION
ADOPTED RESOLUTION
March 30, 2004**

Application Number: Business Site Plan #68-D (2)

Street Address: 148 Heights Road

Tax Assessor's Map #74 Lots #8 & #13

Name and Address of Applicant and
Applicant's Representative: Michael Grisanti
c/o Stop & Shop Supermarket
148 Heights Road
Darien, CT 06820

Name and Address of Property Owner: Thomas Golden
528 Boston Post Road
Darien, CT 06820

Activity Being Applied For: Proposing to install a 24' x 48' greenhouse within the existing Stop & Shop supermarket parking area, for use on a seasonal basis.

Property Location: Subject property is on the north side of Heights Road, 200 feet northeast of its intersection with Edgerton Street.

Zone: DC Zone.

Date of Public Hearing: March 23, 2004

Time and Place: 8:00 P.M. Room 206 Town Hall

Publication of Hearing Notices

Dates: March 11, 2004
March 18, 2004

Newspaper: Darien News-Review

Date of Action: March 30, 2004

Action: APPROVED WITH CONDITIONS

Scheduled Date of Publication of
Action: April 8, 2004

Newspaper: Darien News-Review

The Commission has conducted its review and findings on the bases that:

the proposed use and activities must comply with all provisions of Sections 630 and 1020 of the Darien Zoning Regulations for the Commission to approve this project.

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the size, nature, and intensity of the proposed use and activities are described in detail in the application, and the statements of the applicant whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.

each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials, the Commission finds:

1. The applicant proposes to install a 24' x 48' greenhouse within the existing parking area, for use on a seasonal basis. Further details of that request, including hours of operation, were outlined in the applicant's February 6, 2004 letter to the Planning & Zoning Commission, and at the Public Hearing. This is the exact same application as Amendment of Business Site Plan #68-D, approved by the Commission in April 2001.

NOW THEREFORE BE IT RESOLVED that Business Site Plan #68-D (2) is hereby approved subject to the foregoing and following stipulations, modifications and understandings:

1. Installation of the greenhouse shall be in accordance with the representations made to the Commission in the application and at the public hearing.
2. The recommendations outlined in the Police Commission meeting minutes of April 4, 2001 are hereby incorporated as conditions of this approval. They are:
3. The parking lot where the proposed greenhouse will be situated consists of a total of 22 parking spaces. It would be closed to vehicular traffic.
4. A pedestrian access would be located on the northwest corner, which will require the relinquishment of one parking space (southwest corner of adjoining lot).
5. Installation and maintenance of stop sign with painted stop bar by Stop & Shop on access Road (northbound) just prior to greenhouse lot.
6. Hours of operation will not continue beyond 7:30pm.
7. On Saturdays and Sundays a traffic safety person, identified as such (traffic vest) will be dedicated to the task of assisting pedestrians across the access road to and from the greenhouse.
8. Any outside pallets proposed by the applicant shall be located directly adjacent to the proposed greenhouse. No chemical-related goods such as fertilizers or pesticides shall be stored outside the greenhouse.
9. This approval is to locate the greenhouse within the parking lot from April 10-July 3, 2004. If the applicant wishes to proceed with this project in 2005 or beyond, after July 3, 2004, he shall review that request with the Planning and Zoning Director, who may administratively approve such a request.

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10. The greenhouse cannot be established until Zoning and Building Permits are obtained.
11. The granting of this Permit does not relieve the applicant of responsibility of complying with all applicable rules, regulations, and codes of other Town, State, or other regulating agencies.
12. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke the permit as it deems appropriate.
13. This permit shall be subject to the provisions of Section 1020 of the Darien Zoning Regulations, including but not limited to, implementation of the approved plan within one year of this action (March 29, 2005).

All provisions and details of the application shall be binding conditions of this action and such approval shall become final upon compliance with these stipulations and the signing of the final documents by the Chairman.

The motion was made by Mr. Bigelow, seconded by Mrs. Forman and unanimously approved.

Chairman Damanti read the following agenda item:

Flood Damage Prevention Application #202, Land Filling & Regrading Application #116, Ralph & Rhonda D'Arinzo, 47 Greenwood Avenue. Request to allow regrading and previously placed fill to remain within a regulated area.

The following motion was made: that since each member has had an opportunity to review the draft Resolution in preparation for the meeting, there is no need to read the entire Resolution aloud. The motion was made by Mrs. Forman, seconded by Mr. Bigelow and unanimously approved.

The Commission discussed the application and the fact that fill had been placed in the flood zone before the Permit application was submitted. They noted that they could require that the fill be removed and the site restored to its previous condition before taking any action on the application. After some discussion, the following motion was made: that the Commission adopt the following Resolution to allow the fill to remain in its current location and to approve the application.

**PLANNING AND ZONING COMMISSION
ADOPTED RESOLUTION
March 30, 2004**

Application Number: Flood Damage Prevention Application #202
Land Filling & Regrading Application #116

Subject Property: 47 Greenwood Avenue
Tax Assessor's Map #8 Lot #155

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Name and Address of Applicant: Ralph D'Arinzo
 47 Greenwood Avenue
 Darien, CT 06820

Name and Address of: Ralph & Rhonda D'Arinzo
Property Owner & 2020 Long Ridge Road
Applicant's Representative: Stamford, CT 06903

Activity Being Applied For: Request to allow regrading and previously placed fill to remain within a regulated area.

Property Location: The subject property is situated on the west side of Greenwood Avenue approximately 1,300 feet north of its intersection with Camp Avenue.

Zone: R-1/3

Date of Public Hearing: March 23, 2004

Time and Place: 8:00 P.M. Room 206 Town Hall

Publication of Hearing Notices
Dates: March 11 & 18, 2004 Newspaper: Darien News-Review

Date of Action: March 30, 2004 Action: GRANTED WITH STIPULATIONS

Scheduled Date of Publication of Action: Newspaper: Darien News-Review
April 8, 2004

The Commission has conducted its review and findings on the bases that:

- the proposed use and activities must comply with all provisions of Sections 400, 820 and 850 of the Darien Zoning Regulations for the Commission to approve this project.
- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted plans, and the statements of the applicant whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.
- each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. This application is a Flood Damage Prevention application under Section 820 and a Land Filling and Regrading Application under Section 850 of the Darien Zoning Regulations to allow

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regrading and previously placed fill to remain within a regulated area. The subject property is immediately adjacent to the Noroton River.

2. At the public hearing, it was noted that approximately 55 cubic yards of fill were used for this project. A catch basin was placed in the driveway and a drywell placed in the backyard to accommodate drainage on-site.
3. Also during the public hearing, it was acknowledged that work had been done without the proper permits. The Planning and Zoning Commission notes that it does have the option to have the developer/builder remove the fill already placed in the floodplain and to restore the site to its natural condition prior to hearing the application, and not hear any application until such violation is corrected. In this case, however, the Planning and Zoning Commission declined to pursue that option, although it does not preclude pursuing that option in the future.
4. The Flood and Hydrological Study dated January 8, 2004 prepared by the John E. Pugliesi, PE of Edward J. Frattaroli, Inc., notes on page 2 that this filling and regrading project "...will not have an adverse impact on the Noroton River and will not cause the river to rise by more than one foot...". The report goes on to state on page 4 that the project "...will cause no adverse impacts on any of the surrounding properties or downstream properties."
5. The Commission has considered all evidence offered at the Public Hearing regarding the character and extent of the proposed activities, the land involved, the possible effects of the activities on the subject property and on the surrounding areas, and the suitability of such actions to the area for which it is proposed.

NOW THEREFORE BE IT RESOLVED that Flood Damage Prevention Application #202 and Land Filling & Regrading Application #116 are hereby granted subject to the foregoing and following stipulations, modifications and understandings:

- A. The filling and regrading that has already taken place is reflected on the plan submitted to the Commission entitled:
 - Ralph & Rhonda D'Arinzo, 47 Greenwood Avenue, by Edward J. Frattaroli, Inc., scale 1"=20', dated January 8, 2004.No additional filling or regrading is authorized and none is permitted.
- B. The granting of this Permit does not relieve the applicant of responsibility of complying with all applicable rules, regulations, and codes of other Town, State, or other regulating agencies.
- C. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke the permit as it deems appropriate.

All provisions and details of the plan shall be binding conditions of this action and such approval shall become final upon compliance with these stipulations and the signing of the final documents

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by the Chairman. A Special Permit form shall be filed in the Darien Land Records within 60 days of this action or this approval shall become null and void.

The motion was made by Mr. Kenny, seconded by Mr. Bigelow and unanimously approved.

Chairman Damanti read the following agenda item:

Coastal Site Plan Review #125-B, Flood Damage Prevention Application #123-B, John B. Ward, 32 Beach Drive. Proposal to construct additions and alterations to the existing residence and perform related site development activities within regulated areas.

Commission members discussed the project and agreed that there were no major issues of concern. They asked staff to draft a Resolution for consideration at a future meeting.

Chairman Damanti read the following agenda item:

Special Permit Application #221-D, Cellco Partnership d/b/a Verizon Wireless, 4 Tower Drive. Proposing to install wireless telecommunications antennas (twelve panel antennas) on top of the concrete water tank within a new "cap" on the existing concrete shell, and to install an equipment shelter within the existing tank housing.

Mr. Bigelow said that the application had previously been approved and not constructed. If it gets approved again and they fail to construct it a second time, he would have a difficult time approving it a third time because it apparently would not be needed. Mr. Kenny said that he could not support the application because it was adding to the height of the side walls and flattening the roof of the structure. He did not think it was a good idea to increase the volume of the tower to accommodate more antennas that would deal not with coverage but with volume of calls.

Mrs. Forman said that she would reluctantly vote for approval of the project with the caveats about the management of the site. Mr. Spain agreed with Mrs. Forman and said that increasing the side walls will be a slight difference to the building but not much of a difference. He said that the total output of radio frequency radiation would only be 35% of what would be allowed and it is better to have the antennas added to this existing tower rather than to have a new tower constructed. He also felt that conditions of approval need to address site management and traffic. Mr. Bigelow agreed with Mrs. Forman and Mr. Spain. Staff was directed to draft a Resolution for consideration at a future meeting.

Mr. Kenny said that he was not impressed with Aquarion Water Company's management of the site and control of the use of their own property. Mr. Spain said that the Water Company needs to have neighborhood participation regarding the implementation schedule. They need to decide whether it would be better to have a lot of activity for a short time or a moderate amount of activity for a medium length of time or to have a very low degree of activity extended over a long period of time. It is necessary that the site be safe and secure and not be unsightly. Also important would be the long term maintenance of the site and the hours and frequency of routine maintenance inspections. He said that the Water Company needs to regulate this as the landlord and to control the permittees at the site.

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Action on this matter will be taken at a future meeting.

Chairman Damanti read the following agenda item.

Coastal Site Plan Review #190, Flood Damage Prevention Application #203, Bohdan & Lily Kurylko, 35 Beach Drive. Proposing to construct additions and alterations to the existing residence and perform related site development activities within regulated areas.

Commission members discussed the application and asked the staff to draft a Resolution of approval that would be considered at a future meeting.

Chairman Damanti read the following agenda item:

Land Filling & Regrading Application #117, Juan & Leslie Colon-Collazo, 11 Old Oak Road. Proposing to relocate and revise the driveway and perform related site development activities. The subject property is on the northeast side of Old Oak Road.

Commission members discussed the application and asked the staff to draft a resolution of approval that would be acted on at a future meeting.

Chairman Damanti read the following agenda item:

Discussion of March 15, 2004 memorandum from Board of Selectmen regarding parking regulations.

The Commission members discussed the memorandum from the First Selectman and reached the following conclusions: The Commission agrees that parking in the downtown area is important and it is an issue that must be addressed. Professional analysis is necessary and because the staff and Commission are so deeply involved in the update of the Town Plan of Conservation and Development, that it is not a project that can be done in-house at this time. A complete traffic and parking study for the downtown area would probably cost in the range of \$30,000 to \$40,000 and at present, the Commission does not have that much money in the consulting budget. Recent approvals for substantial expansion of commercial activities within the downtown area (the movie theatre and the Grove Street Plaza) will have a substantial impact on parking in the downtown area and the study needs to take into account the actual parking demands created once those commercial sites have been in operation. The Commission felt that the letter of response should be directed from the Chairman rather than the staff, but asked the Director of Planning, Jeremy Ginsberg, to draft a letter for consideration and comment at a future meeting.

Approval of Minutes

February 24, 2004	Public Hearing/General Meeting
March 2, 2004	Public Hearing/General Meeting
March 9, 2004	General Meeting

The Commission discussed the three sets of meeting Minutes and the following motion was made: that the Commission adopt all three sets of Minutes as presented. The motion was made by Mrs.

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Forman, seconded by Mr. Spain. All members voted in favor except Mr. Bigelow who abstained because he had not been present at one or more of the meetings.

There being no further business the meeting was adjourned at 10:45 p.m.

Respectfully submitted,

David J. Keating
Assistant Director of Planning

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